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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10 SACRAMENTO DIVISION
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12 **SHAUN DARNELL GARLAND,**

13 Plaintiff,

14 **v.**

15 **KATHLEEN ALLISON, et al.,**

16 Defendants.
17
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No. 2:21-CV-0796-DAD-DMC-P

ORDER

19 Defendants Allison, Burton, Cummings-Ivey, Flores, Murillo, and Urrea moved the Court
20 for leave to file a successive motion for summary judgment on the merits of Plaintiff's claims if
21 their concurrently filed exhaustion-based motion for summary judgment and motion for
22 judgment on the pleadings (ECF Nos. 101) is denied, either in whole or in part. The Court has
23 read and considered Defendants' motion and finds that good cause exists to grant the motion.

24 Accordingly, Defendants' motion is GRANTED. The Court will set, if necessary, a briefing
25 schedule for a merits-based motion for summary judgment after its ruling on Defendants'
26 concurrently filed exhaustion-based motion for summary judgment and motion for judgment on
27 the pleadings.

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1 No hearing will be held on this motion unless the Court so orders at a later date.

2 **IT IS SO ORDERED.**

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4 Dated: March 17, 2025



5 DENNIS M. COTA
6 UNITED STATES MAGISTRATE JUDGE
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